REMARKS

Reconsideration of this application, as amended, is requested.

Claims 5, 6, 7 and 9 remain in the application. Claim 5 has been amended to address the rejection under 35 USC 112, first paragraph. New claim 9 has been added, and has support in the specification at several locations including the paragraph bridging pages 9 and 10.

The Examiner objected to the Information Disclosure Statement filed with the last amendment because documents were "not properly cited".

Two references were cited in the Information Disclosure Statement filed with the last amendment. The references were uncovered during an internet search conducted by counsel in an effort to respond to the previous Office Action. The information in these references merely provides a background discussion pertaining to austenite and residual austenite. The information is not believed to be particularly relevant to the claimed invention, and merely helped counsel to understand some of the terms employed in the application and in the Office Action. In view of the lack of relevance of these two internet publications, counsel is satisfied to merely have the publications placed in the file.

The claims were rejected under 35 USC 112, first paragraph. The Examiner noted that the amended claims mentioned that "a residual austenite is defined at least in a layer of the main pipe rail adjacent the inner circumferential surface. However, the Examiner asserted that the specification has no support for that limitation.

The Examiner's attention is directed, with respect, to page 12 of the application. The paragraph on page 12 explains that a round bar of the TRIP type

bainite steel is subject to processings performed by cutting, etc. to define an inside diameter, a boss portion branch hole, a sheet face, and screw portion, etc. The specification then explains that "these processed portions are changed to austenite" and "austemper processing is then performed by holding these portions for three minutes at 400°C." As a result, a residual austenite layer is formed.

The original specification clearly explains that the "processings" is performed to define the inside diameter, that the processed portions are changed to austenite and that a subsequent austemper processing is performed to form a part of the austenite into a residual austenite layer. As a result, it is submitted that the specification provides adequate support for the previously amended claims. Nevertheless, in an effort to address the Examiner's objection, claim 5 has been amended. Amended claim 5 now defines residual austenite being defined "at least in a layer of the main pipe rail". It is believed that the language of amended claim 5 has support at several locations in the specification, including the location quoted in the Office Action.

The Examiner objected to the drawings because they did not show a layer of residual austenite adjacent the inner circumferential surface. Accordingly, the Examiner requested a replacement sheet of drawings.

As noted above, claim 5 has been amended and no longer recites a layer of residual austenite adjacent the inner circumferential surface. As a result, it is believed that the drawing amendment requested in the Office Action no longer is necessary.

In view of the preceding amendments and remarks, it is submitted that the application is in condition for allowance. The Examiner is urged to contact applicant's attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,

Gerald E. Hespos, Esq.
Atty. Reg. No. 30,066
Customer No. 001218
CASELLA & HESPOS LLP
274 Madison Avenue - Suite 1703
New York, NY 10016
Tel. (212) 725-2450
Fax (212) 725-2452

Date: January 18, 2006